

Staff Memo Report

To: Metropolitan Area Planning Commission (MAPC)

From: Otis T. Spriggs, AICP; Planning Director- Planning Dept.

Date: September 8, 2009

Re.: Conditional Use Approval Requested: Full Kitchen/Living Area Above Garage

HP Development, Inc. Applicant/Jon Ross, Owner request approval for property located at 3716 Riviera Dr. (Ridgepointe Subdivision): Accessory Dwelling Unit: Current Zoning: R-1.

This will require MAPC approval as required by the Zoning Code, Section 14.28.03/ Article VI: Accessory Uses, Sec. 117-226, Residential uses.



Vicinity Map:

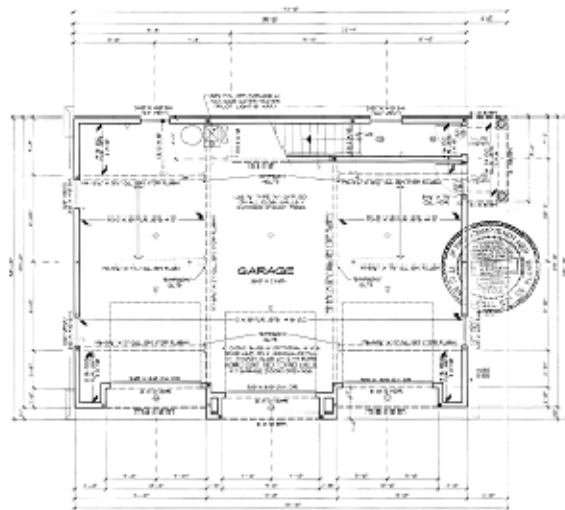
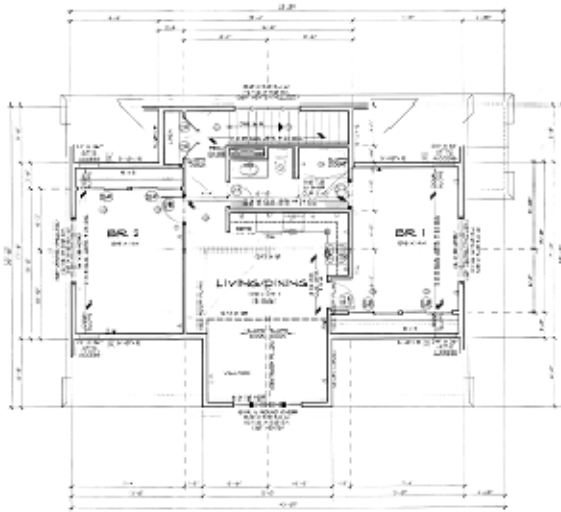
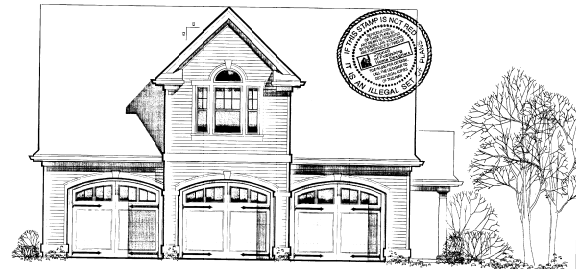
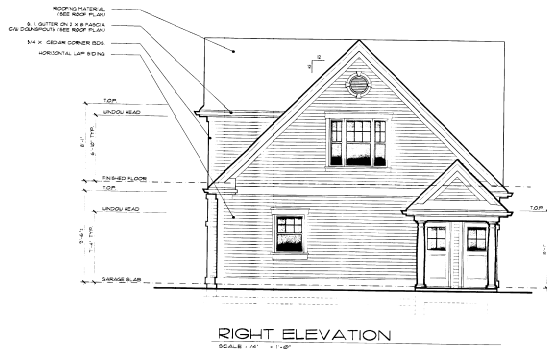
Sec. 117-226. (14.28.03) Residential uses.

Residential accessory uses shall include, the following accessory uses, activities, facilities and structures: accessory dwelling units subject to limitations outlined in subsection (1) of this section; fences and walls, garages, carports and off-street parking and loading areas, gardens, gates and guard houses, home occupations subject to limitations and requirements of subsection (2) of this section, playhouses, patios, cabanas, porches, gazebos and household storage buildings; radio and television receiving antennas, recreational and play facilities for residents, storm and fallout shelters and other necessary and customary uses determined to be appropriate, incidental and subordinate to the principal use on the lot.

(1) *Accessory dwelling unit.* Accessory dwelling units shall be allowed by right in AG, RR, and R-O districts provided that the dwelling unit is used to house immediate family members or employees who work onsite. **Such units may also be allowed, subject to conditional use approval, in other residential districts.** Accessory dwelling units shall not be used for general rental purposes.

As you recall the recent residential code text amendment allows accessory dwellings in the new RS-1 thru RS-2 as of right; and R-3 thru R-8 as a conditional use. Because this lot is zoned R-1 Single Family it is subject to the old standard which is cited above requiring a conditional use approval.

Staff is requesting MAPC site plan approval based on the condition that the applicant satisfies all necessary permit requirements including necessary documents: site plans (including grading and drainage) necessary to acquire a building permit, after final approval by Planning, Engineering, all applicable agencies, and Building Inspections.



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1

5016B
2

SITE PHOTOGRAPHS



View Looking North at Site



View Looking West on Site



View Looking West



View Looking North at Site



View Looking North at Site



View Looking South from Site